

HONORABLE MICHELLE L. PETERSON

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

BUNGIE, INC., a Delaware corporation,  
Plaintiff,

v.

JOSHUA FISHER, JACOB W. MAHURON  
A/K/A "PRAGMATICTAX," MATTHEW  
ABBOTT A/K/A "NOVA," JOSE  
DEJESUS AKA "DAVID HASTINGS"  
A/K/A "J3STER," TRAVERS RUTTEN  
A/K/A "TRAVERS7134," JESSE  
WATSON A/K/A "JESSEWATSON3944,"  
JOHN DOE NO. 1 A/K/A "CALC",  
ANDREW THORPE A/K/A "CYPHER,"  
RYAN POWER AKA "KHALEESI," JOHN  
DOE NO. 4 A/K/A "GOD," JOHN DOE  
NO. 5 A/K/A "C52YOU," JOHN DOE NO.  
6 A/K/A "LELABOWERS74," JOHN DOE  
NO. 7 A/K/A "FRAMEWORK," KICHING  
KANG A/K/A "SEQUEL," JOHN DOE  
NO. 9 A/K/A "1NVITUS," DAVID  
BRINLEE A/K/A "SINISTER," JOHN DOE  
NO. 11 A/K/A "THEGUY," JOHN DOE  
NO. 12 A/K/A "BEATRED," JOHN DOE  
NO. 13 A/K/A "COMMUNITYMODS,"  
JOHN DOE NO. 14 A/K/A "PALACE,"  
JOHN DOE NO. 15 A/K/A  
"VINCENTPRICE," JOHN DOE NO. 16  
A/K/A "ESSWAN," JOHN DOE NO.  
17A/K/A "ADMIRAL," JOHN DOE NO. 18  
A/K/A "TOMDICKHARRY," JOHN DOE  
NO. 19 A/K/A "ROB," JOHN DOE NO. 20  
A/K/A "STAYLOCKED," JOHN DOE NO.  
21 A/K/A "FIVE-STAR," JOHN DOE NO.  
22 A/K/A "HORROR," JOHN DOE NO. 23  
A/K/A ELITECHEATZ.CO, JOHN DOE  
NO. 24 A/K/A MIHAI LUCIAN, JOHN

Case No. 2:23-cv-01143-MLP

DECLARATION OF DYLAN SCHMEYER  
IN SUPPORT OF PLAINTIFF'S *EX PARTE*  
SIXTH MOTION FOR AN EXTENSION OF  
THE SERVICE DEADLINE UNDER  
RULE 4(m)

NOTE ON MOTION CALENDAR:  
February 10, 2025

DOE NO. 25 A/K/A NATHAN BERNARD,  
A/K/A “DOVE,” JOHN DOE NO. 26  
A/K/A “BLACKMAMBA,” JOHN DOE  
NO. 27 A/K/A “BILLNYE,” JOHN DOE  
NO. 28 A/K/A “BANEK192,” JOHN DOE  
NO. 29 A/K/A SHOPPY ECOMMERCE  
LTD, JOHN DOE NO. 30 A/K/A/ FINN  
GRIMPE A/K/A “FINNDEV,” AND JOHN  
DOES NO. 31-50,  
  
Defendants.

I, Dylan Schmeyer, declare and state as follows:

1. I am an attorney with Kamerman, Uncyk, Soniker & Klein, P.C., counsel to Plaintiff Bungie, Inc. in this action. I make this declaration based on my personal knowledge of the facts herein, and could and would testify to them competently if necessary.

2. The unidentified Defendants in this case have taken steps to obfuscate their identities and contact information, employing multiple pseudonyms across multiple platforms, deleting and opening new accounts when they believe Bungie has identified them, and even trying to quash discovery efforts aimed at identifying them.

3. Defendants are actively attempting to cover their tracks, but Bungie has made great strides in identifying them, amending its complaint to reflect what it has learned and continuing to pursue the information necessary to serve, either conventionally, or, if necessary, through alternative service, every Defendant it is identifying.

4. Bungie has diligently pursued discovery and other investigative efforts in this action in order to identify, name, and serve the unidentified Defendants. Bungie sought, and was granted, leave of the Court to send its final round of third-party subpoenas, *see* Dkts. 58, 67.

5. Three of Bungie’s subpoenas, to Discord, Google, and Stripe, were served late due to an inadvertent error by our process server that we only recently learned of. As a result, we are still awaiting those productions.

6. Pursuant to the Court’s Order, *see* Dkt. 67, Bungie has sent a follow-up subpoena based on the production it received from Payward, Inc. The production from Payward was delayed by more than two months by Doe’s aborted motion to quash. *See* Dkt. 77. As a result, we

1 require time to receive and review that production now that the motion to quash issue has been  
2 resolved.

3 7. Bungie has issued 31 subpoenas in total to various third parties pursuant to the  
4 Court's Orders, *see* Dkts. 27, 51, and 68, to obtain the necessary information to complete its  
5 investigation and identification of the Defendants – 18 in the first wave, six in the second wave,  
6 and six in the third wave, and one follow-up in the third wave.

7 8. Bungie sent a Rule 4 waiver request with the Amended Complaint to every  
8 Defendant it has identified to date (including those who received such requests for the original  
9 complaint). Those identified Defendants include the following: Joshua Fisher; Jacob W.  
10 Mahuron a/k/a "Pragmatictax"; Matthew Abbott a/k/a "Nova"; Jose DeJesus a/k/a "David  
11 Hastings" a/k/a "J3ster"; Travers Rutten a/k/a "Travers7134"; Jesse Watson a/k/a  
12 "Jessewatson3944"; Andrew Thorpe a/k/a "Cypher"; Ryan Power a/k/a "Khaleesi"; Kiching  
13 Kang a/k/a "Sequel"; David Brinlee a/k/a "Sinister"; John Doe No. 12 a/k/a "Beatred" a/k/a  
14 "Cicero A. Loureiro"; John Doe No. 14 a/k/a "Palace" a/k/a "Robert S. Herrity"; John Doe  
15 No. 16 a/k/a "Esswan" a/k/a "Sabeen Rehman Soomro"; John Doe No. 21 a/k/a "Five-Star" a/k/a  
16 "Taylor Knetter"; John Doe No. 30 a/k/a Finn Grimpe a/k/a "Finndev"; and John Doe No. 25  
17 a/k/a "Nathan Bernard" a/k/a "Dove." It only received two favorable responses. It will continue  
18 to send waivers as further identifications are made. It will move forward with service of those  
19 who have either not responded, or who have responded negatively, once its alternative service  
20 needs are fully ascertained and it has sought leave of the Court to do so.

21 9. Bungie has served every U.S. Defendant it has identified to date, either formally  
22 or through a signed Rule 4 waiver.

23 10. Bungie has also identified the location and contact information of Finn Grimpe  
24 (John Doe No. 30), sent them a Rule 4 waiver request, and requested and was issued a summons  
25 for them, *see* Dkts. 72, 76-1.

26 11. Bungie is currently in discussions with four Defendants regarding a possible  
27 resolution with respect to them.

